

**REMARKS/ARGUMENTS**

This Amendment is being filed in response to the Office Action dated June 26, 2009. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-11 are pending in the Application. Claims 1 and 11 are independent claims. By means of the present amendment, the claims are amended including for better conformance to U.S. practice, such as deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Further amendments include correcting typographical errors in the specification, amending dependent claims to begin with "The" as opposed to "A", as well as correcting certain informalities noted upon review of the claims. By these amendments, the claims and specification are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

By means of the present amendment, the Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

Applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

Applicants thank the Examiner for acknowledging receipt and consideration of an Information Disclosure Statement filed on March 21, 2007.

In the Office Action, claim 1 is objected to for an informality. In the interest of advancing consideration and allowance of the claims, the Applicants have elected to amend claim 1 to address the informality noted in the Office Action. Accordingly, withdrawal of the objection to claim 1 is respectfully requested.

In the Office Action, claims 1-11 are rejected under 35 U.S.C. §102(b) over U.S. Patent Publication No. 2003/0137521 to Zehner ("Zehner"). These rejections are respectfully traversed. It is respectfully submitted that claims 1-11 are allowable over Zehner for at least the following reasons.

Zehner shows a bistable electro-optic display has a plurality of pixels, each of which is capable of displaying at least three gray levels (see, Zehner, FIG. 1, and abstract).

In the Office Action, it is alleged that Zehner provides a drive scheme for the pixels that (emphasis added) "is switchable between a monochrome drive scheme (see paragraph 195, lines 1-5) and a grayscale drive scheme (see paragraphs 178-182), said monochrome drive scheme involving drive signals providing for only two extreme optical pixel states (see paragraph 124, lines 1 -2), and said grayscale drive scheme involving drive signals providing for at least one additional, intermediate pixel state between said extreme states (see paragraph 124, lines 2-3) ..." (see, Office Action, bottom of page 2 continuing to the top of page 3.) This interpretation of Zehner is respectfully traversed.

It is respectfully submitted that Zehner provides no such separate drive schemes, namely separate monochrome and grayscale drive schemes. While Zehner, paragraphs 178-182, cited in the Office Action, describes several transitions from either extreme states to a grayscale state, it is clear that Zehner does not provide for a grayscale driving scheme that is separate from the monochrome drive scheme and that includes the extreme states, yet

uses a different driving scheme for each of the extreme states than the monochrome drive scheme, based on whether the display is switched to a monochrome drive scheme or a grayscale drive scheme.

While Zehner does describe different modulations of pulse widths to achieve both binary (monochrome) and gray scale levels (see, Zehner, paragraph 124 cited in the Office Action), Zehner attempts to limit remnant voltage of an electro-optic display by modifying pulse widths as shown in FIGs. 11A and 11B and not by switching between two different drive schemes. Further, Zehner does not distinguish between the application of a transition drive signal when switching between two different drive schemes that each have different signals (from each scheme) for transitioning to the extreme states of the pixels.

It is respectfully submitted that the electrophoretic display of claim 1 is not anticipated or made obvious by the teachings of Zehner. For example, Zehner does not teach, disclose or suggest, an electrophoretic display that amongst other patentable elements, comprises (illustrative emphasis added) "said drive unit is arranged to provide said pixel cell with a drive signal and is switchable between a monochrome drive scheme and a grayscale drive scheme, said monochrome drive scheme involving drive signals

providing for only two extreme optical pixel states, and said grayscale drive scheme involving drive signals providing for said two extreme optical pixel states and at least one additional, intermediate pixel state between said two extreme optical pixel states, wherein said grayscale drive scheme provides drive signals for said two extreme optical states that are different than said monochrome drive scheme for said two extreme optical states, and wherein said drive unit furthermore is operative to apply a separate transition drive signal when switching from said grayscale drive scheme to said monochrome drive scheme, whereby said transition drive signal is arranged such that said transition drive signal counteracts the build-up of remnant DC voltage in the pixel cell" as recited in claim 1, and as similarly recited in claim 11.

Zehner merely provides for pulse width modulation to limit remnant voltage of an electro-optic display.

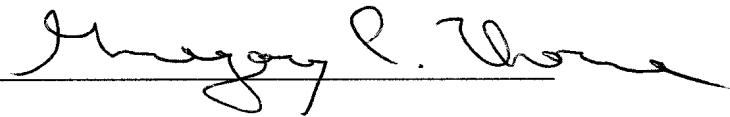
Based on the foregoing, the Applicants respectfully submit that independent claims 1 and 11 are patentable over Zehner and notice to this effect is earnestly solicited. Claims 2-10 respectively depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate

consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398  
Attorney for Applicant(s)  
September 28, 2009

**THORNE & HALAJIAN, LLP**  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101

**Please direct all inquiries and correspondence to:**

Michael E. Belk, Reg. 33,357  
Philips Intellectual Property & Standards  
P.O. Box 3001  
Briarcliff Manor, NY 10510-8001  
(914) 333-9643